

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ANCELL EUGENE HAMM,**  
**Plaintiff**

**v.**

**CHARLES ZAGORSKIE, et al.,**  
**Defendants**

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**CIVIL NO. 20-4659**

**ORDER**

**AND NOW**, this *11<sup>th</sup>* day of February, 2021, upon consideration of Ancell Eugene Hamm's Motion to Proceed *In Forma Pauperis* (ECF No. 1), *pro se* Complaint (ECF No. 2), Objections (ECF No. 14), Motion for an In Court Hearing (ECF No. 15), and Motion for a Hearing in the U.S. District in the Eastern District of Pennsylvania (ECF No. 16), it is

**ORDERED** that:

1. The Court's December 3, 2020 Order dismissing this case for failure to prosecute (ECF No. 13) is **VACATED**.
2. The Clerk of Court shall **REOPEN** this case.
3. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
4. Ancell Eugene Hamm, #AK-2165, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Superintendent of SCI Fayette or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Mr. Hamm's inmate account; or (b) the average monthly balance in Mr. Hamm's inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the

Court with a reference to the docket number for this case. In each succeeding month when the amount in Mr. Hamm's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Mr. Hamm's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

5. The Clerk of Court is directed to **SEND** a copy of this Order to the Superintendent of SCI Fayette.

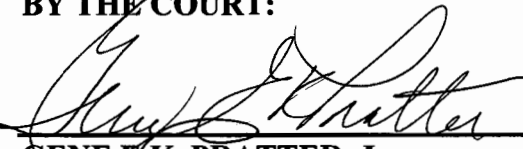
6. The Complaint is **DEEMED** filed.

7. Mr. Hamm's Complaint is **DISMISSED WITH PREJUDICE** as frivolous, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) for the reasons stated in the Court's Memorandum.

8. Mr. Hamm's motions for hearings (ECF Nos. 15 and 16) are **DENIED** as **MOOT**.

9. The Clerk of Court shall **CLOSE** this case.

**BY THE COURT:**

  
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**GENE E.K. PRATTER, J.**